

Supreme Court of Kentucky

2014-18

IN RE: Authorization for the Laura and John Arnold Foundation Risk Assessment and Non-Financial Uniform Schedule of Bail Pilot Project for Ballard, Barren, Bath, Butler, Carlisle, Campbell, Harlan, Jefferson, Johnson, Knox, Laurel, Lawrence, Letcher, Martin, Menifee, Metcalfe, Montgomery, Ohio, Pike & Rowan Counties

AMENDED ORDER

I. Introduction

This order hereby authorizes a pilot project for the implementation of the Laura and John Arnold Foundation (LJAF) PSA-Court Risk Assessment and Non-Financial Uniform Schedule of Bail in Ballard, Barren, Bath, Butler, Carlisle, Campbell, Harlan, Jefferson, Johnson, Knox, Laurel, Lawrence, Letcher, Martin, Menifee, Metcalfe, Montgomery, Ohio, Pike & Rowan Counties (“Pilot Counties.”). The district judges in the Pilot Counties have agreed to participate in this pilot project at the request of the Supreme Court of Kentucky. The pilot project will be in effect from September 1, 2013, to August 31, 2015.

II. Purpose

The purpose of this pilot project is to test the effectiveness of the LJAF PSA-Court Risk Assessment and Non-Financial Uniform Schedule of Bail to expedite pretrial release of low to moderate risk defendants charged with non-violent, non-sexual misdemeanors and certain Class D felony offenses and to increase efficiency by reserving resources for higher-risk defendants ordered to pretrial supervision.

III. Implementation

A. Implementation Date

The district judges in the Pilot Counties will implement the pilot project on or after September 1, 2013.

B. Use of Proposed Schedule and Exceptions

Pilot Counties will use the Uniform Local Protocol for the LJAF PSA-Court Risk Assessment and Non-Financial Uniform Schedule of Bail Pilot Project as attached, with the following exceptions:

1. In Butler and Ohio Counties:

- a. The following non-violent, non-sexual offenses are not eligible for release under the Schedule and require judicial review:
 - i. DUI 1st offense with a BAC of 0.15 or higher;
 - ii. DUI 1st offense with a refusal.
- b. Eligible defendants assessed as being low risk shall be released under the Schedule on a \$500 unsecured bond if the highest charge is a violation or misdemeanor.
- c. Eligible defendants assessed as being low risk shall be released under the Schedule on a \$1,500 unsecured bond if the highest charge is a Class D felony.
- d. Pretrial Services shall not override the risk assessment score or level for any failures to appear.
- e. Moderate risk defendants are not eligible for release under the Schedule and require judicial review.

2. In Barren and Metcalfe Counties:

- a. The following non-violent, non-sexual offenses are not eligible for release under the Schedule and require judicial review:
 - i. DUI 1st offense with a BAC of 0.15 or higher;
 - ii. DUI 1st offense with a refusal;
 - iii. DUI 1st offense where the defendant does not possess a valid, Kentucky license.
- b. Eligible defendants being assessed as low risk shall be released under the Schedule on a \$500 unsecured bond if the highest charge is a violation or misdemeanor.
- c. Eligible defendants being assessed as low risk shall be released under the Schedule on a \$1,500 unsecured bond if the highest charge is a Class D felony.
- d. Moderate risk defendants are not eligible for release under the Schedule and require judicial review.

3. In Johnson, Martin and Lawrence Counties:

- a. The following non-violent, non-sexual offenses are not eligible for release under the Schedule and require judicial review:

- i. DUI 1st offense with any aggravator;
 - ii. DUI 1st offense with any accident;
 - iii. Any felony, drug-related offense;
 - iv. Any offense on a bench warrant for failing to appear in court.
- b. Defendants charged with Menacing as listed in Appendix B, List of Violent Crimes, are eligible for release without judicial review under this Order if all other criteria contained herein are satisfied.
- c. Eligible defendants assessed as being low or moderate risk shall be released under this Schedule on recognizance, an unsecured bond or a surety bond.
- d. Eligible defendants assessed as moderate risk shall be supervised by Pretrial Services per the risk/needs matrix.
- e. The Pretrial Services risk assessment shall not calculate failure to appear on any non-DUI traffic case.
- f. If a defendant's risk level is affected by a case, whether a conviction or an unresolved case, in which the charge date is greater than 10 years old, no points shall be assessed for such cases on the LJAF PSA-Court Risk Assessment.

4. In Ballard and Carlisle Counties:

- a. The following non-violent, non-sexual offenses are not eligible for release under the Schedule and require judicial review:
 - i. DUI 1st offense with a BAC of 0.15 or higher;
 - ii. DUI 1st offense with a refusal;
 - iii. DUI 1st offense where the defendant does not possess a valid, Kentucky license.
- b. Eligible defendants being assessed as low risk shall be released under the Schedule on a \$500 unsecured bond if the highest charge is a violation or misdemeanor.
- c. Moderate risk defendants are not eligible for release under the Schedule and require judicial review.
- d. Defendants whose highest charge is a class D felony or higher are not eligible for release under the Schedule and require judicial review.

- e. Pretrial Services shall not override the risk assessment score or level for any failures to appear.
- f. If a defendant's risk level is affected by a case, whether a conviction or an unresolved case, in which the charge date is greater than 10 years old, no points shall be assessed for such cases on the LJAF Risk Assessment.

5. In Bath, Menifee, Montgomery and Rowan counties:

- a. Except for defendants charged with offenses in paragraph b. of this section, the only defendants that are eligible for release under the Schedule are those charged with the offenses listed in Appendix D.
- b. Defendants charged with Possession of a Controlled Substance, 3rd Degree, Drug Unspecified may also be released without judicial review in accordance with paragraph d. of this section, if the offense is a first offense and the defendant has no prior drug-related convictions.
- c. Moderate risk defendants are not eligible for release under the Schedule and require judicial review.
- d. Eligible defendants being assessed as low risk shall be released on a \$750 unsecured bond.
- e. Pretrial Services shall not override the risk assessment score or level with the exception of one prior failure to appear on a traffic offense more than three years from the time of arrest.

6. In Jefferson County:

- a. Defendants who are eligible for non-financial release under the Schedule are those who have been assessed as a low risk or moderate risk (subject to paragraph "b" below) and are charged with the offenses listed in Appendix E.
- b. Eligible defendants assessed as a moderate risk shall be released on their own recognizance and supervised by Pretrial Services per the risk/needs matrix as to the following offenses:
 - i. DUI 1st - (true first*, no accident, Ky resident, no pending DUI);
 - ii. DUI 1st w/Agg. (true first*, no accident, Ky resident, no pending DUI);
 - iii. DUI under 21 - (true first*, no accident, Ky resident, no pending DUI);

- iv. Theft By Unlawful Taking u/\$500 – shoplifting;
 - v. Tampering w/Physical Evidence – drugs;
 - vi. Fraudulent use of Credit Card;
 - vii. Criminal Mischief 2nd;
 - viii. Receiving Stolen Property u/\$500;
 - ix. Possession of Controlled Substance 2nd;
 - x. Trafficking in Marijuana 1st Offense less than 8 oz;
 - xi. Cultivate Marijuana 5 Plants or Less;
 - xii. Failure of Owner to Maintain Required Insurance 2nd;
 - xiii. Cultivating marijuana under 5 plants;
 - xiv. Owner Permit Other to Operate w/o Required Insurance 2nd;
 - xv. Driving w/o License/Negligent in Accident.
- c. Defendants who have been assessed high risk are not eligible for release under this Order and require judicial review.
 - d. Pretrial Services shall not override the risk assessment level with the exception of one prior failure to appear on a traffic offense violation more than three years from the time of this arrest.
 - e. Pretrial shall base its review on the actual charge indicated in the narrative of the citation rather than the UOR code.
 - f. If the Defendant is arrested on a bench warrant for failing to appear in court and he/she has previously failed to appear on that case then judicial review is required.
 - f. If the Pretrial Officer believes that the facts associated with the charges or any other factors require judicial review, then the Pretrial Officer shall present the Defendant's bond decision to the on-call judge who shall release the Defendant or set a bond.

7. In Knox and Laurel Counties:

- a. The following non-violent, non-sexual offenses are not eligible for release under the Schedule and require judicial review:
 - i. Any felony offense;
 - ii. DUI 1st offense with a BAC of 0.15 or higher;
 - iii. DUI 1st offense with a multi-vehicle accident;
 - iv. DUI 1st offense with children present;
 - v. DUI 1st offense and the defendant is a non-resident of Kentucky;
 - vi. DUI 1st offense with DUI charge that is currently pending in front of the Court;
 - vii. Any theft related charge(s) where the defendant has a prior conviction for theft within the past 5 years;

- viii. Any charge where the defendant has a pending misdemeanor or felony on his/her criminal history.

8. In Letcher County:

- a. The following non-violent, non-sexual offenses are not eligible for release under the Schedule and require judicial review:
 - i. Any DUI offense;
 - ii. Any felony offense;
 - iii. Endangering the Welfare of a Minor;
 - iv. Any offense charged as a bench warrant.
- b. Eligible defendants assessed as being low or moderate risk shall be released under this Schedule on an unsecured bond.
- c. Eligible defendants assessed as moderate risk shall be supervised by Pretrial Services per the risk/needs matrix.
- d. The overrides found in Part II, Section (4), subsections (a) and (b) do not apply.

9. In Pike County:

- a. The following non-violent, non-sexual offenses are not eligible for release under the Schedule and require judicial review:
 - i. Any DUI offense.

10. In Harlan County:

- b. The following non-violent, non-sexual offenses are not eligible for release under the Schedule and require judicial review:
 - i. Any felony offense;
 - ii. DUI 1st offense with a BAC of 0.15 or higher;
 - iii. DUI 1st offense with any accident;
 - iv. DUI 1st offense with children present;
 - v. DUI 1st offense and the defendant is a non-resident of Kentucky;
 - vi. DUI 1st offense with DUI charge that is currently pending in front of the Court;
 - vii. Any theft related charge(s) where the defendant has a prior conviction for theft within the past 5 years;
 - viii. No Insurance charge with any accident;
 - ix. Endangering the Welfare of a Minor;
 - x. Any offense charged as a bench warrant.

- b. Eligible defendants assessed as being low or moderate risk shall be released under this Schedule on \$2,500 unsecured bond, except for eligible DUI 1st offenses will be \$5,000 unsecured bond.
- c. Eligible defendants assessed as moderate risk shall be supervised by Pretrial Services per the risk/needs matrix.
- d. The overrides found in Part II, Section (4), subsections (a) and (b) do not apply.

B. Means of Implementation and Effect

The district judges in the Pilot Counties will implement the pilot project by means of an administrative or general order setting out their respective county's Non-Financial Uniform Schedule of Bail pursuant to and in accordance with the terms and provisions set forth in this order. While such an order constitutes an exception to this Court's longstanding requirement that matters affecting practice and procedure are more appropriately addressed by way of court rules,¹ this Court deems that an administrative or general order setting out the Non-Financial Uniform Schedule of Bail for each of the Pilot Counties is necessary under the circumstances to further the purpose of this pilot project. Thus, until such time as this pilot project expires or this Court amends or supplants the terms and provisions herein as to any county or counties, whichever occurs sooner, any administrative or general order promulgated pursuant to and in accordance with the terms and provisions herein will be of binding force and effect as if submitted to and approved by this Court.

C. Information Gathering

Pretrial Services will gather, monitor and coordinate the gathering of data necessary to monitor and evaluate the effectiveness of the LJAF PSA-Court Risk Assessment and Non-Financial Uniform Schedule of Bail Pilot Project. Evaluations, comments, and recommendations will be given quarterly to the Chief Justice of the Supreme Court of Kentucky.

IV. Governance


This pilot project will be governed by the Uniform Local Protocol for the LJAF PSA-Court Risk Assessment and Non-Financial Uniform Schedule of Bail Pilot Project and all applicable statutes and rules not inconsistent with said Schedule.

¹ Abernathy v. Nicholson, 899 S.W.2d 85 (Ky. 1995).

V. Termination or Expansion

The Chief Justice has the sole authority to amend, terminate or expand the scope of this pilot project. Requests for amendments, or changes, should be submitted to the Chief Justice.

Entered this 30th day of September 2014.


CHIEF JUSTICE

**UNIFORM LOCAL PROTOCOL FOR THE LJAF
RISK ASSESSMENT AND NON-FINANCIAL
UNIFORM SCHEDULE OF BAIL PILOT PROJECT**

PART I: DEFINITIONS

As used in these sections, unless the context otherwise requires:

- A. "Interview" means an investigation of a defendant for the purposes of pretrial release or pretrial supervision.
- B. "Investigation" means a Pretrial Services investigation containing Courtnet and NCIC records, charge information, personal information and demographics, probation status, address, and application of the LJAF Risk Assessment (See Appendix A).
- C. "Non-Financial Uniform Schedule of Bail" means the authority granted by the court to a pretrial officer to apply a pre-determined release decision to detained defendants based on a uniform schedule of bail without the need for a judicial review.
- D. "LJAF PSA-Court Risk Assessment" means the validated risk assessment tool used in Kentucky, containing questions relating to flight risk and anticipated criminal conduct.
- E. "Risk assessment" means an objective, research based, validated assessment tool that measures a defendant's risk of flight and risk of anticipated criminal conduct while on pretrial release pending adjudication.
- F. "Risk level" means a scale from low to high of the risk a defendant poses of pretrial failure (e.g., failure to appear or presenting a danger to the community).
- G. "Risk/Needs Matrix" means the evidence-based, standardized template of the pretrial services agency which associates a defendant's risk level and needs level with a corresponding level of supervision.
- H. "Sexual Offenses" means any offense defined as sexual under Kentucky Revised Statutes and those listed by Pretrial Services as sexual for purposes of Pretrial release (See Appendix C).
- I. "Supervision" means the placement of a defendant under supervision of Pretrial Services' Monitored Conditional Release program with conditions imposed by the court or pretrial services agency.

- J. "Verification" means matching a defendant's identity with an official record.
- K. "Verified and eligible defendant" means a defendant who is charged with a bailable offense and whose identity Pretrial Services is able to confirm through investigation.
- L. "Violent Offenses" means any offense defined as violent under Kentucky Revised Statutes and those listed by Pretrial Services as violent for purposes of Pretrial release (See Appendix B).

PART II: PILOT PROGRAM FOR THE PRETRIAL RISK ASSESSEMENT AND NON-FINANCIAL UNIFORM SCHEDULE OF BAIL

Section 1. Obligations of Pretrial Services and Pretrial Officers

Except where explicitly noted, no provision set forth in this order shall absolve the Administrative Office of the Courts' pretrial services agency and pretrial officers employed by the agency from following the Kentucky Rules of Criminal Procedure, including but not limited to: RCr 4.02, RCr 4.06, RCr 4.08, and RCr 4.38; and the Kentucky Revised Statutes, including but not limited to: KRS 431.066, KRS 431.515, and KRS 431.518.

Section 2. Risk Assessment and Risk Level

- A. All verified and eligible defendants will have their risk level assessed by use of the LJAF PSA-Court Risk Assessment.
- B. The risk assessment instrument, once applied to a defendant, will result in the defendant's risk level being assessed as either:
 - i. Low
 - ii. Moderate
 - iii. High
- C. The risk assessment instrument will be applied to the defendant prior to or at the approximate time of the pretrial interview. Nothing in this order shall prohibit the instrument from being re-applied to the defendant at any time after the initial application.

Section 3. Eligibility and Release Options

- A. Defendants charged with non-violent/non-sexual misdemeanor(s)/violation(s) whose risk level has been assessed as low will be eligible under the Schedule and shall be released on recognizance with conditions as ordered by the court.
- B. Defendants charged with non-violent/non-sexual misdemeanor(s)/violation(s) whose risk level has been assessed as moderate will be eligible under the Schedule and shall be released on recognizance with supervision per the Pretrial Services risk/needs matrix.
- C. Defendants charged with one or more non-violent/non-sexual Class D felonies whose risk level has been assessed as low will be eligible under the Schedule and shall be released on recognizance or unsecured bond with conditions as ordered by the court.
- D. Defendants charged with one or more non-violent/non-sexual Class D felonies whose risk level has been assessed as moderate will be eligible under the Schedule and shall be released on recognizance or unsecured bond with supervision per the Pretrial Services risk/needs matrix.
- E. Defendants charged with contempt of court and/or with violation(s) of misdemeanor or felony probation or conditional discharge are not eligible under the Schedule.
- F. Defendants charged with a DUI 1st offense with injuries or accident or any aggravated circumstances (other than refusals and DUI 2nd or greater) are not eligible under the Schedule. All statutory times shall be followed for all DUI offenses.
- G. Defendants charged with driving on a DUI suspended license are not eligible under the Schedule.
- H. Defendants who have previously failed to appear on the charge are not eligible under the Schedule.
- I. Defendants charged with Fugitive from Justice are not eligible under the Schedule.
- J. Defendants charged with trafficking in a controlled substance (Class D felony or higher) that have a pending trafficking in a controlled substance charge of any type or prior conviction for a trafficking in a controlled substance charge of any type are not eligible under the Schedule.

- K. Defendants who decline the pretrial services interview are not eligible under the Schedule.
- L. All defendants not eligible for release under the Schedule shall only be released upon judicial review with supervision and conditions of release ordered by the court.

Section 4. Overrides

- A. If a defendant's risk level is affected by a failure to appear (FTA) on a traffic offense no points shall be assessed for such events on the LJAF PSA-Court Risk Assessment.
- B. If a defendant's risk level is affected by a case, whether a conviction or an unresolved case, in which the charge date is greater than 10 years old (exclude class A, B and C felonies), no points shall be assessed for such cases on the LJAF PSA-Court Risk Assessment.
- C. If at any time the pretrial officer feels the facts associated with the charges or any other factors require judicial review then the pretrial officer may present the defendant to the on-call judge to set bond.
- D. The pretrial officer shall base his or her review on the actual charge indicated in the narrative/criminal record rather than the UOR code assigned by law enforcement.

Appendix B. List of Violent Crimes

<u>Code</u>	<u>KRS</u>	<u>Description</u>	<u>Type</u>	<u>Class</u>
060154	311.75	ABORTION BY NON LICENSED PERSONS	FELONY	B
002602	525.12	ABUSE OF CORPSE	MISDEMEANOR	A
002603	525.120(2)	ABUSE OF CORPSE (SEXUAL INTERCOURSE)	FELONY	D
002570	525.135(3)	TORTURE OF A DOG OR CAT- 1ST OFFENSE	MISDEMEANOR	A
002571	525.135(3)	TORTURE OF A DOG OR CAT 2ND OR>OFFENSE	FELONY	D
020003	513.02	ARSON, 1ST DEGREE	FELONY	A
020004	513.03	ARSON, 2ND DEGREE	FELONY	B
020005	513.04	ARSON, 3RD DEGREE	FELONY	D
013117	518.09	ASSAULT 3RD DEGREE - SPORTS OFFICIAL (5 OR MORE), 1ST OFF	FELONY	D
013118	518.09	ASSAULT 3RD DEGREE - SPORTS OFFICIAL, 2ND OR > OFFENSE	FELONY	D
013115	508.025(1)(a)(3)	ASSAULT 3RD-DEPT. SOCIAL SERVICES WORKER	FELONY	D
013214	525.205	ASSAULT ON SERVICE ANIMAL, 1ST DEGREE	FELONY	D
013213	525.205	ASSAULT ON SERVICE ANIMAL, 2ND DEGREE	MISDEMEANOR	B
013250	508.040(2)(a)	ASSAULT UNDER EXTREME EMOTIONAL DISTURBANCE	FELONY	D
013259	508.040(2)(b)	ASSAULT UNDER EXTREME EMOTIONAL DISTURBANCE	MISDEMEANOR	B
013150	508.01	ASSAULT, 1ST DEGREE	FELONY	B
013151	508.01	ASSAULT, 1ST DEGREE - DOMESTIC VIOLENCE	FELONY	B
013152	508.01	ASSAULT, 1ST DEGREE - POLICE OFFICER	FELONY	B
013160	508.02	ASSAULT, 2ND DEGREE	FELONY	C
013161	508.02	ASSAULT, 2ND DEGREE - DOMESTIC VIOLENCE	FELONY	C
013162	508.02	ASSAULT, 2ND DEGREE - POLICE OFFICER	FELONY	C
013120	508.025	ASSAULT, 3RD DEGREE (EMS, FIRE, RESCUE SQUAD)	FELONY	D
013124	508.025	ASSAULT, 3RD DEGREE (OFFICER TRANSPORTING INMATES)	FELONY	D
013123	508.025	ASSAULT, 3RD DEGREE (SCHOOL EMPLOYEE OR SCHOOL VOLUNTEER)	FELONY	D
013119	518.09	ASSAULT, 3RD DEGREE - SPORTS OFFICIAL, 1ST OFF	MISDEMEANOR	A
000799	508.03	ASSAULT, 4TH DEGREE (CHILD ABUSE)	MISDEMEANOR	A
000798	508.03	ASSAULT, 4TH DEGREE (DOMESTIC VIOLENCE) MINOR INJURY	MISDEMEANOR	A
000797	508.03	ASSAULT, 4TH DEGREE (DOMESTIC VIOLENCE) NO VISIBLE INJURY	MISDEMEANOR	A
000796	508.03	ASSAULT, 4TH DEGREE (MINOR INJURY)	MISDEMEANOR	A
000795	508.03	ASSAULT, 4TH DEGREE (NO VISIBLE INJURY)	MISDEMEANOR	A
013114	508.025(1)(b)	ASSAULT-3RD DEGREE-INMATE ASSAULT ON CORRECTIONS EMPLOYEE	FELONY	D
013113	508.025	ASSAULT-3RD DEGREE-POLICE/PROBATION OFFICER-IDENT WEAPON	FELONY	D
022060	511.02	BURGLARY, 1ST DEGREE	FELONY	B
041900	218A.1441	CONTROLLED SUBSTANCE ENDANGERMENT TO CHILD, 1ST DEGREE	FELONY	A
041901	218A.1442	CONTROLLED SUBSTANCE ENDANGERMENT TO CHILD, 2ND DEGREE	FELONY	B
013230	508.1	CRIMINAL ABUSE-1ST DEGREE	FELONY	C
013231	508.100(1)(c)	CRIMINAL ABUSE-1ST DEGREE-CHILD 12 OR UNDER	FELONY	C
013240	508.11	CRIMINAL ABUSE-2ND DEGREE	FELONY	D
013241	508.110(1)(c)	CRIMINAL ABUSE-2ND DEGREE-CHILD 12 OR UNDER	FELONY	D
000810	508.12	CRIMINAL ABUSE-3RD DEGREE	MISDEMEANOR	A
000811	508.120(1)(c)	CRIMINAL ABUSE-THIRD DEGREE-CHILD 12/UNDER	MISDEMEANOR	A

002618	509.08	CRIMINAL COERCION	MISDEMEANOR	A
051005	525.125	CRUELTY TO ANIMALS-1ST DEGREE	FELONY	D
002625	525.13	CRUELTY TO ANIMALS-2ND DEGREE	MISDEMEANOR	A
000404		DOMESTIC VIOLENCE & ABUSE, DUTIES OF LAW ENFORCEMENT AGENCY	OTHER	
002002	530.06	ENDANGERING THE WELFARE OF A MINOR	MISDEMEANOR	A
002030	209.990(1)	FAILURE TO REPORT ABUSE/NEGLECT/EXPLOIT OF ADULT	MISDEMEANOR	B
060155	311.641(2)	FALSIFY/WITHOLD MEDICAL TREATMENT CONTRARY TO PERSON	FELONY	B
002031	209.990(2)	KNOWINGLY ABUSE/NEGLECT OF ADULT BY PERSON	FELONY	C
002032	209.990(3)	WANTON ABUSE/NEGLECT OF ADULT BY PERSON	FELONY	D
002033	209.990(4)	RECKLESS ABUSE/NEGLECT OF ADULT BY PERSON	MISDEMEANOR	A
002034	209.990(5)	KNOWINGLY EXPLOIT ADULT BY PERSON O/\$300	FELONY	C
002035	209.990(6)	WANTON/ RECKLESS EXPLOIT ADULT BY PERSON O/\$300	FELONY	D
002036	209.990(7)	KNOWINGLY/WANTON/RECKLESS EXPLOIT OF ADULT BY PERSON U/\$300	MISDEMEANOR	A
049011	520.02	ESCAPE 1ST DEGREE-IDENTIFY INSTITUTION	FELONY	C
009300	507A.020	FETAL HOMICIDE, 1ST DEGREE	FELONY	A
009301	507A.030	FETAL HOMICIDE, 2ND DEGREE	FELONY	B
009302	507A.040	FETAL HOMICIDE, 3RD DEGREE	FELONY	C
009303	507A.050	FETAL HOMICIDE, 4TH DEGREE	FELONY	D
009151	507.02	MURDER- DOMESTIC VIOLENCE	FELONY	A
040100	529.1	HUMAN TRAFFICKING	FELONY	C
040101	529.1	HUMAN TRAFFICKING (SERIOUS PHYSICAL INJURY)	FELONY	B
040103	529.1	HUMAN TRAFFICKING (SERIOUS PHYSICAL INJURY) VICTIM U/18 YOA	FELONY	A
040104	529.11	PROMOTING HUMAN TRAFFICKING	FELONY	D
040105	529.11	PROMOTING HUMAN TRAFFICKING (VICTIM U/18 YOA)	FELONY	C
036051	520.02	INCEST - FORCIBLE COMPULSION/INCAP OF CONSENT, OR U/18 YOA	FELONY	B
036052	520.02	INCEST - VICTIM U/12 YOA OR SERIOUS PHYSICAL INJURY	FELONY	A
000172	510.148	INDECENT EXPOSURE-1ST DEGREE 3RD OFFENSE	FELONY	D
001753	510.148	INDECENT EXPOSURE-1ST DEGREE 4TH OR> OFFENSE	FELONY	D
051201	524.04	INTIMIDATING A PARTICIPANT IN LEGAL PROCESS	FELONY	D
059807	119.255	INTIMIDATION OF ELECTION OFFICER	FELONY	D
010060	509.04	KIDNAPPING-ADULT	FELONY	B
010050	509.04	KIDNAPPING-MINOR	FELONY	B
010072	509.04	KIDNAPPING-VICTIM DEATH	FELONY	A
010071	509.04	KIDNAPPING-WITH SERIOUS PHYSICAL INJURY	FELONY	A
009653	277.355	KN DROP. THROW OBJ AT/ON/IN PATH OF RR VEH CAUS SER PHYS INJ	FELONY	B
009665	277.355	KNOW DEF/DAM/OBS/REM/IMP OP OF SIG/DEV CAUS SER PHY INJ	FELONY	B
060229	315.32	KNOW AID UNL PER/PHAR U/INT DISP SCH 1 CONT SUB/SER PHY INJ	FELONY	B
041802	250.991(2)	KNOW POSS ANHYDROUS AMM O/APP CONT W/INT TO MANF METH 2ND/>	FELONY	A
009201	507.03	MANSLAUGHTER-1ST DEGREE	FELONY	B
009202	507.04	MANSLAUGHTER-2ND DEGREE	FELONY	C
000803	508.05	MENACING	MISDEMEANOR	B
009150	507.02	MURDER	FELONY	A
009151	507.02	MURDER - DOMESTIC VIOLENCE	FELONY	A

009152	507.02	MUDER-POLICE OFFICER	FELONY	A
010970	510.155	PROH USE OF ELEC COMM SYS TO PROC MINOR/PEACE OFF R/SEX OFF	FELONY	D
037229	531.320(2)(c)	PROMOTING A MINOR IN SEX PERFORMANCE-PHYSICAL INJURY	FELONY	A
037228	531.320(2)(b)	PROMOTING A MINOR U/16 IN SEX PERFORMANCE	FELONY	B
037230	531.320(a)	PROMOTING A SEXUAL PERFORMANCE BY A MINOR U/18	FELONY	C
010990	510.04	RAPE, 1ST DEGREE	FELONY	B
010992	510.04	RAPE, 1ST DEGREE - DOMESTIC VIOLENCE	FELONY	B
010993	510.04	RAPE, 1ST DEGREE - DOMESTIC VIOLENCE W/SERIOUS PHYSICAL INJ	FELONY	A
010995	510.04	RAPE, 1ST DEGREE - INCAP OF CONST/PHYS HELP W/SER PHYS INJ	FELONY	A
010994	510.04	RAPE, 1ST DEGREE - INCAPABLE OF CONSENT/PHYSICALLY HELPLESS	FELONY	B
010996	510.04	RAPE, 1ST DEGREE - VICTIM <12 YOA	FELONY	A
010991	510.04	RAPE, 1ST DEGREE W/SERIOUS PHYSICAL INJURY	FELONY	A
011161	510.05	RAPE, 2ND DEGREE (MENTALLY INCAPACITATED BY INTOX SUB)	FELONY	C
011162	510.05	RAPE-2ND DEGREE-NO FORCE	FELONY	C
009210	507.05	RECKLESS HOMICIDE	FELONY	D
028023	514.11	REC STOL PROP (ANHYDROUS AMMONIA) W/INT TO MAKE METH 2ND>	FELONY	A
002404	520.09	RESISTING ARREST	MISDEMEANOR	A
053031	525.02	RIOT-1ST DEGREE	FELONY	D
012002	515.02	ROBBERY, 1ST DEGREE	FELONY	B
012003	515.03	ROBBERY, 2ND DEGREE	FELONY	C
001709	510.13	SEXUAL ABUSE - 3RD DEGREE	MISDEMEANOR	B
011221	510.11	SEXUAL ABUSE, 1ST DEG, VICTIM U/12 YEARS OF AGE	FELONY	C
011220	510.11	SEXUAL ABUSE, 1ST DEGREE	FELONY	D
011222	510.12	SEXUAL ABUSE, 2ND DEGREE	MISDEMEANOR	A
011230	510.11	SEX OFFENSE-PRIOR TO PENAL CODE	FELONY	B
011185	510.07	SODOMY, 1ST DEG - INCAP CONST/PHYS HELP W/SERIOUS PHYS INJ	FELONY	A
011184	510.07	SODOMY, 1ST DEG - INCAPABLE OF CONSENT/PHYSICALLY HELPLESS	FELONY	B
011180	510.07	SODOMY, 1ST DEGREE	FELONY	B
011183	510.07	SODOMY, 1ST DEGREE - DOMESTIC VIOL - W/SERIOUS PHYSICAL INJ	FELONY	A
011182	510.07	SODOMY, 1ST DEGREE - DOMESTIC VIOLENCE	FELONY	B
011186	510.07	SODOMY, 1ST DEGREE - VICTIM <12 YOA	FELONY	A
011181	510.07	SODOMY, 1ST DEGREE W/SERIOUS PHYSICAL INJURY	FELONY	A
011201	510.08	SODOMY, 2ND DEGREE (MENTALLY INCAPACITATED BY INTOX SUB)	FELONY	C
011205	510.09	SODOMY, 3RD DEGREE	FELONY	D
011202	510.08	SODOMY-2ND DEGREE	FELONY	C
013242	508.14	STALKING-1ST DEGREE	FELONY	D
013243	508.15	STALKING-2ND DEGREE	MISDEMEANOR	A
041805	250.991(3)	TAMP W/ANHYDROUS AMN W/INT TO MAKE METH 2ND OR>	FELONY	A
023103	514.03	TBUT (ANHYDROUS AMMONIA) W/INT TO MAKE METH 2ND OR>	FELONY	A
000820	508.075	TERRORISTIC THREATENING, 1ST DEGREE	FELONY	C
000821	508.078	TERRORISTIC THREATENING, 2ND DEGREE	FELONY	D
000822	508.08	TERRORISTIC THREATENING, 3RD DEGREE	MISDEMEANOR	A
023240	514.08	THEFT BY EXTORTION	FELONY	D
001119	514.08	THEFT BY EXTORTION	MISDEMEANOR	A

002571	525.135(3)	TORTURE OF A DOG OR CAT 2ND OR > OFFENSE	FELONY	D
002570	525.135(3)	TORTURE OF A DOG OR CAT-1ST OFFENSE	MISDEMEANOR	A
009661	277.355	UNAU DIS/DEL/PRE OP OF VEH ON TCK CAUS SER PHYS INJ	FELONY	B
009657	277.355	UNAU CLIMB ON/IN RR VEH ON TCK CAUS SERIOUS PHYS INJ	FELONY	B
010201	509.02	UNLAWFUL IMPRISONMENT-1ST DEGREE	FELONY	D
002606	509.03	UNLAWFUL IMPRISONMENT-2ND DEGREEE	MISDEMEANOR	A
038115	530.064(1)(b)	UNLAW TRANS W/MINOR 1ST DEGREE ILL CONT SUB, PHYS INJ	FELONY	A
038114	530.064(1)(a)	UNLAW TRANS W/MINOR 1ST ILLEGAL SEX ACT PHYS INJ	FELONY	A
038112	530.064(1)(a)	UNLAW TRANS W/MINOR 1ST ILLEGAL SEX ACT U/16 YOA	FELONY	B
038113	530.064(1)(b)	UNLAW TRANS W/MINOR 1ST ILL CONT SUBSTANCE U/16	FELONY	B
060227	315.32	UNLIC PER/PHAR U/INTERNET DISPNS SCH 1 CONT SUB/SER PHY INJ	FELONY	B
037219	531.310(2)(c)	USE OF A MINOR IN SEX PERFORMANCE-PHYSICAL INJURY	FELONY	A
037218	531.310(2)(b)	USE OF A MINOR U/16 IN A SEX PERFORMANCE	FELONY	B
037220	531.310(2)(a)	USE OF A MINOR U/18 IN A SEXUAL PERFORMANCE	FELONY	C
002540	527.2	USE OF WEAPON OF MASS DESTRUCTION (1ST DEGREE)	FELONY	A
002541	527.205	USE OF WEAPON OF MASS DESTRUCTION (2ND DEGREE)	FELONY	B
002552	527.080(2)(d)	USING RESTRICTED AMMO DURING FELONY (PERSON KILLED)	FELONY	A
002551	527.080(2)(c)	USING RESTRICTED AMMO DURING FELONY (PERSON WOUNDED)	FELONY	B
002032	209.990(3)	WANTON ABUSE/NEGLECT OF ADULT BY PERSON	FELONY	D
013201	508.06	WANTON ENDANGERMENT-1ST DEGREE	FELONY	D
013221	508.06	WANTON ENDANGERMENT-1ST DEGREE-POLICE OFFICER	FELONY	D
000441	508.07	WANTON ENDANGERMENT-2ND DEGREE	MISDEMEANOR	A
000444	508.07	WANTON ENDANGERMENT-2ND DEGREE-POLICE OFFICER	MISDEMEANOR	A

Appendix C. List of Sexual Offenses

<u>Code</u>	<u>KRS</u>	<u>Description</u>	<u>Type</u>	<u>Class</u>
001684	17.545	REGISTERED SEX OFFENDER REGISTRATION RESTRICTIONS (1ST OFFENSE)	MISDEMEANOR	A
001685	17.545	REGISTERED SEX OFFENDER RESIDENCE RESTRICTIONS (2ND OR > OFF)	FELONY	D
001660	17.546	SEX OFFENDER IM/CHAT/SOCIAL NETWORK USE	MISDEMEANOR	A
001686	17.549	FALSE STMT LAW ENFORCEMENT RE NON-COMPLIANT SEX OFF REG, 1ST OFF	MISDEMEANOR	A
001687	17.549	FALSE STMT TO LAW ENFC RE NON-COMPLIANT SEX OFF REG, 2ND OR >	FELONY	D
001688	17.549	HARBORING NON-COMPLIANT SEX OFFENDER REGISTRANT, 1ST OFF	MISDEMEANOR	A
001689	17.549	HARBORING NON-COMPLIANT SEX OFFENDER REGISTRANT, 2ND OR > OFF	FELONY	D
001680	17.510(11)	FAILURE TO COMPLY W/SEX OFFENDER REGISTRATION (1ST OFF)	FELONY	D
001681	17.510(11)	FAILURE TO COMPLY W/SEX OFFENDER REGISTRATION (2ND OR > OFFENSE)	FELONY	C
001682	17.510(12)	PROVIDE FALSE/MISLEAD/INCOMP INFO FOR SEX OFF REGISTRATION, 1ST OFF	FELONY	D
001683	17.510(12)	PROVIDE FALSE/MISLEAD/INCOMP INFO FOR SEX OFF REGISTRATION, 2ND OR > OFF	FELONY	C
001667	17.545(2)	REGISTER SEX OFFENDER SCHOOL RESTRICTIONS	MISDEMEANOR	A
011229	510.015	3RD OR SUBSEQUENT MISDEMEANOR SEXUAL OFFENSE	FELONY	D
010990	510.04	RAPE, 1ST DEGREE	FELONY	B
010991	510.04	RAPE, 1ST DEGREE W-SERIOUS PHYSICAL INJURY	FELONY	A
010992	510.04	RAPE, 1ST DEGREE - DOMESTIC VIOLENCE	FELONY	B
010993	510.04	RAPE, 1ST DEGREE - DOMESTIC VIOL - W-SERIOUS PHYSICAL INJURY	FELONY	A
010994	510.04	RAPE, 1ST DEGREE - INCAPABLE OF CONSENT-PHYSICALLY HELPLESS	FELONY	B
010995	510.04	RAPE, 1ST DEG - INCAP OF CONSENT/PHYS HELP - W/SER PHYS INJ	FELONY	A
010996	510.04	RAPE, 1ST DEGREE - VICTIM <12 YEARS OF AGE	FELONY	A
011161	510.05	RAPE, 2ND DEGREE (MENTALLY INCAPACITATED BY INTOX SUBSTANCE)	FELONY	C
011162	510.05	RAPE 2ND DEGREE-NO FORCE	FELONY	C
011165	510.06	RAPE, 3RD DEGREE	FELONY	D
011180	510.07	SODOMY, 1ST DEGREE	FELONY	B
011181	510.07	SODOMY, 1ST DEGREE - W SERIOUS PHYSICAL INJURY	FELONY	A
011182	510.07	SODOMY, 1ST DEGREE - DOMESTIC VIOLENCE	FELONY	B
011183	510.07	SODOMY, 1ST DEGREE - DOMESTIC VIOL - W-SERIOUS PHYSICAL INJ	FELONY	A
011184	510.07	SODOMY, 1ST DEGREE - INCAP OF CONSENT-PHYSICALLY HELPLESS	FELONY	B
011185	510.07	SODOMY, 1ST DEG - INCAP OF CONSENT/PHYS HELPLESS -W SER PHYS INJ	FELONY	A
011186	510.07	SODOMY, 1ST DEGREE - VICTIM <12 YRS OF AGE	FELONY	A
011201	510.08	SODOMY, 2ND DEGREE (MENTALLY INCAPACITATED BY INTOX SUBSTANCE)	FELONY	C
011202	510.08	SODOMY 2ND DEGREE	FELONY	C
011205	510.09	SODOMY, 3RD DEGREE	FELONY	D
011220	510.11	SEXUAL ABUSE, 1ST DEGREE	FELONY	D
011221	510.11	SEXUAL ABUSE, 1ST DEGREE, VICTIM U/12 YEARS OF AGE	FELONY	C
011222	510.12	SEXUAL ABUSE, 2ND DEGREE	MISDEMEANOR	A
001709	510.13	SEXUAL ABUSE - 3RD DEGREE	MISDEMEANOR	B

001710	510.14	SEXUAL MISCONDUCT	MISDEMEANOR	A
001712	510.14	SEXUAL MISCONDUCT-SPOUSE	MISDEMEANOR	A
001750	510.148	INDECENT EXPOSURE, 1ST DEGREE, 1ST OFFENSE	MISDEMEANOR	B
001751	510.148	INDECENT EXPOSURE, 1ST DEGREE, 2ND OFFENSE (W/1 3 YRS)	MISDEMEANOR	A
001752	510.148	INDECENT EXPOSURE, 1ST DEGREE, 3RD OFFENSE	FELONY	D
001753	510.148	INDECENT EXPOSURE, 1ST DEGREE, 4TH OR > OFFENSE	FELONY	D
001754	510.15	INDECENT EXPOSURE, 2ND DEGREE	MISDEMEANOR	B
010970	510.155	PROH USE OF ELEC COM SYS TO PROCURE MINOR/PEACE OFF RE: SEX OFFENSES	FELONY	D
011230	510.***	SEX OFFENSE - OTHER - PRIOR TO PENAL CODE	FELONY	B
002603	525.120(2)	ABUSE OF CORPSE (SEXUAL INTERCOURSE)	FELONY	D
001600	529.02	PROSTITUTION	MISDEMEANOR	B
040190	529.04	PROMOTING PROSTITUTION	MISDEMEANOR	A
040191	529.04	PROMOTING PROSTITUTION (2 OR MORE PROSTITUTES)	FELONY	D
001604	529.07	PERMITTING PROSTITUTION	MISDEMEANOR	B
001605	529.08	LOITERING FOR PROSTITUTION PURPOSES 2ND > OFFENSE	MISDEMEANOR	B
001606	529.08	LOITERING FOR PROSTITUTION PURPOSES 1ST OFFENSE	VIOLATION	V
040100	529.100*	HUMAN TRAFFICKING*	FELONY	C
040101	529.100*	HUMAN TRAFFICKING (SERIOUS PHYSICAL INJURY)*	FELONY	B
040102	529.100*	HUMAN TRAFFICKING (VICTIM U/18 YOA)*	FELONY	B
040103	529.100*	HUMAN TRAFFICKING (SERIOUS PHYSICAL INJURY) VICTIM U/18 YOA*	FELONY	A
040104	529.110*	PROMOTING HUMAN TRAFFICKING*	FELONY	D
040105	529.110*	PROMOTING HUMAN TRAFFICKING (VICTIM U/18 YOA)*	FELONY	C
001607	529.090(2)	PROSTITUTION WHILE INFECTED (S.T.D.)	MISDEMEANOR	A
001608	529.090(3)	PROSTITUTION WHILE INFECTED (H.I.V.)	FELONY	D
001609	529.090(4)	PROSTITUTION, PROCURING WHILE INFECTED (H.I.V.)	FELONY	D
038040	530.01	BIGAMY	FELONY	D
036050	530.02	INCEST	FELONY	C
036051	530.02	INCEST - FORCIBLE COMPULSION/INCAPABLE OF CONSENT OR U/18 YOA	FELONY	B
036052	530.02	INCEST - VICTIM U/12 YOA OR SERIOUS PHYSICAL INJURY	FELONY	A
038110	530.064(1)(a)	UNLAWFUL TRANSACTION W/MINOR, 1ST - ILLEGAL SEX ACT, U/18 YOA	FELONY	C
038112	530.064(1)(a)	UNLAWFUL TRANSACTION W/MINOR, 1ST - ILLEGAL SEX ACT, U/16 YOA	FELONY	B
038114	530.064(1)(a)	UNLAWFUL TRANSACTION W/MINOR, 1ST - ILL SEX ACT, PHYS INJ	FELONY	A
001713	531.02	DISTRIBUTION OF OBSCENE MATTER-1 UNIT OF MATTER	MISDEMEANOR	B
001714	531.02	DISTRIBUTION OF OBSCENE MATTER >1 UNIT OF MATTER	MISDEMEANOR	A
037200	531.03	DISTRIB OBSCENE MATTER TO MINORS W/PRIOR CONVICT	FELONY	D
037201	531.03	DISTRIBUTION OBSCENE MATTER TO MINORS 1ST OFF	MISDEMEANOR	A
037202	531.04	USING MINOR TO DISTRIBUTE OBSCENE MATTER 1ST OFF	MISDEMEANOR	A
037210	531.04	USE MINOR TO DISTRIB OBSCENE MATTER W/PAST CONVICT	FELONY	D
001716	531.05	ADVERTISING OBSCENE MATERIAL	MISDEMEANOR	B
001717	531.06	PROMOTING SALE OF OBSCENITY 1ST OFFENSE	MISDEMEANOR	B
001722	531.06	PROMOTING SALE OBSCENEITY 2ND OFFENSE	MISDEMEANOR	A
037020	531.06	PROMOTING SALE OF OBSCENITY 3RD OR > OFFENSE	FELONY	D
001730	531.09	VOYEURISM	MISDEMEANOR	A
001740	531.1	VIDEO VOYEURISM	FELONY	D

037272	531.335	Possess/view matter portray sexual performance by minor	FELONY	D
037280	531.34	DIST OF MATTER PORTRAYING SEXUAL PERF BY MINOR, 1ST OFF	FELONY	D
037281	531.34	DIST OF MATTER PORTRAYING SEX PERF BY MINOR, 2ND OR > OFF	FELONY	C
001720	531.35	PROM-SALE/MATTER PORTRAY SEX PERFORM-MINOR/1ST OFF	MISDEMEANOR	A
037250	531.35	PROM SALE OF MATTER PORT SEX PERF BY MINOR 2ND OFF	FELONY	D
037251	531.35	PROMO SALE OF MAT PORTRAY MINOR SEX PERF >2ND OFF	FELONY	C
001723	531.36	ADVERTISING MATTER PORTRAY SEX PERF BY MINOR, 1ST OFF	FELONY	D
001724	531.36	ADVERTISING MATTER PORTRAY SEX PERF BY MINOR, 2ND OR > OFF	FELONY	C
037260	531.37	USE MINOR TO DIST MAT PORT SEX PER MINOR 1ST OFF	FELONY	D
037261	531.37	USE MINOR TO DIST MAT PORT SEX PER MINOR 2 > OFF	FELONY	C
037220	531.310(2)(a)	USE OF A MINOR (U/18) IN A SEXUAL PERFORMANCE	FELONY	C
037218	531.310(2)(b)	USE OF A MINOR (U/16) IN A SEX PERFORMANCE	FELONY	B
037219	531.310(2)(c)	USE OF A MINOR IN A SEX PERFORMANCE-PHYS INJURY	FELONY	A
037230	531.320(2)(a)	PROMOTING A SEXUAL PERFORMANCE BY A MINOR (U/18)	FELONY	C
037228	531.320(2)(b)	PROMOTING A MINOR (U/16)IN SEX PERFORMANCE	FELONY	B
037229	531.320(2)(c)	PROMOTING A MINOR IN SEX PERFORMANCE-PHYS INJURY	FELONY	A

* To be considered a sex crime, alleged activity should meet the definition of KRS 529.010(5B)

Appendix D. List of Rowan County Charges

<u>Code</u>	<u>KRS</u>	<u>Description</u>	<u>Type</u>	<u>Class</u>
002301	222.202(2)	ALCOHOL INTOX IN PUBLIC PLACE-3RD OR > OFF W/12 MO	MISDEMEANOR	B
000491	189.125(3)	BOOSTER SEAT VIOLATIONS	VIOLATION	V
004043	259.21	CATTLE NOT TO RUN AT LARGE	VIOLATION	V
000218	189.19	CHAINS AND LUGS ON HIGHWAY	VIOLATION	V
000110	189.430(1)	COASTING - CAR OUT OF GEAR ON DOWN GRADE	VIOLATION	V
002621	512.070	CRIMINAL LITTERING	MISDEMEANOR	A
002617	511.080	CRIMINAL TRESPASSING-3RD DEGREE	VIOLATION	V
042348	218A.1423(3)	CULTIVATE IN MARIJUANA - 5 PLANTS - 1ST OFFENSE	MISDEMEANOR	A
000101	189.09	DEFECTIVE BRAKES	VIOLATION	V
000232	189.1	DEFECTIVE STEERING GEAR	VIOLATION	V
02371	525.060	DISORDERLY CONDUCT, 2ND DEGREE	MISDEMEANOR	B
005133	186.17	DISPLAY OF ILLEGAL/ALTERED REGISTRATION PLATE	VIOLATION	V
005221	189.231(3)	DISREGARD TRAFFIC REGULATION - 1ST OFFENSE	VIOLATION	V
000271	189.33	DISREGARD-FAIL TO YEILD RIGHT OF WAY	VIOLATION	V
000173	189.231	DISREGARDING COMPULSARY TURN LANE	VIOLATION	V
000128	189.56	DISREGARDING RR CROSSING FLASHER LIGHTS	VIOLATION	V
000111	189.33	DISREGARDING STOP SIGN	VIOLATION	V
000113	189.231(2)	DISREGARDING TRAFFIC CONT DEV-TRAFFIC LIGHT	VIOLATION	V
000508	189.5	DRAGGING STONES OR LOGS ON HIGHWAY	VIOLATION	V
000320	189.390(7)	DRIVING TOO SLOW FOR TRAFFIC CONDITIONS/MINIMUM SPEED	VIOLATION	V
000248	189.11	EXCESSIVE WINDSHIELD/ WINDOW TINTING	VIOLATION	V
005113	186.074	EXPIRED TEMPORARY PLATE	VIOLATION	V
000126	189.310(1)	FAIL GIVE RIGHT OF WAY TO VEH PASS OPSITE DIRECT	VIOLATION	V
006049	235.28	FAIL OF VESS PASS HEAD/ON TO KEEP TO RIGHT	VIOLATION	V
006044	235.28	FAIL TO GIVE RIGHT OF WAY TO VESS OVERTAKEN	VIOLATION	V
006045	235.28	FAIL TO GIVE RT OF WAY TO VES PASS AT RT ANGL	VIOLATION	V
006050	235.28	FAIL TO GIVE RT OF WY TO VESS APPR SHORELINE	VIOLATION	V
006048	235.28	FAIL TO GIVE RT OF WY TO VESS DEPRT DOC/PIER	VIOLATION	V
006012	235.2	FAIL TO HAVE SIGNALING DEVICE WHEN REQUIRED	VIOLATION	V
006036	235.28	FAIL TO OPERATE BOAT AT IDLE SPEED HARBOR/CONG ARE	VIOLATION	V
000480	304.39-080	FAILURE OF OWNER TO MAINTAIN REQUIRED INS/SEC, 1ST OFF	MISDEMEANOR	B
000239	189.287	FAILURE TO COMPLY W/BICYCLE SAFETY REGULATIONS	VIOLATION	V
000618	189.285	FAILURE TO COMPLY W/HELMET LAW O/21 YEARS OF AGE	VIOLATION	V
000617	189.285	FAILURE TO COMPLY W/HELMET LAW U/21 YEARS OF AGE	VIOLATION	V
000122	189.04	FAILURE TO DIM HEADLIGHTS	VIOLATION	V
000174	189.310(2)	FAILURE TO GIVE ONCOMING VEHICLE 1/2 OF HIGHWAY	VIOLATION	V
000131	189.03	FAILURE TO ILLUMINATE HEAD LAMPS	VIOLATION	V
006008	235.2	FAILURE TO ILLUMINATE OR NO NAVIGATION LIGHTS	VIOLATION	V
000518	304.99-117	FAILURE TO ISSUE INSURANCE CARD	VIOLATION	V
000436	186.540	FAILURE TO NOTIFY ADRS CHANGE TO DEPT OF TRANS	MISDEMEANOR	B
000108	189.38	FAILURE TO OR IMPROPER SIGNAL	VIOLATION	V
000519	304.39-117	FAILURE TO PRODUCE INSURANCE CARD	VIOLATION	V
000432	186.190	FAILURE TO REGISTER TRANSFER OF MOTOR VEHICLE	MISDEMEANOR	A

000539	189.580(6)(b)	FAILURE TO REPORT TRAFFIC ACCIDENT	VIOLATION	V
000130	189.56	FAILURE TO STOP AT RR CROSSINGS	VIOLATION	V
006004	235.13	FAILURE TO TRANSFER OWNERSHIP OF A BOAT	VIOLATION	V
000499	189.125	FAILURE TO WEAR SEAT BELTS	VIOLATION	V
000106	189.96	FAILURE TO YIELD IN ROAD WORK ZONE	VIOLATION	V
000222	189.04	GLARING HEADLIGHTS	VIOLATION	V
000172	189.040(3C)	HIGH BEAM INDICATOR NOT WORKING	VIOLATION	V
042009	217.182	ILLEGAL POSSESSION OF A LEGEND DRUG	MISDEMEANOR	B
000425	186.17	IMPROPER DISPLAY OF REGISTRATION PLATES	VIOLATION	V
000206	189.02	IMPROPER EQUIPMENT	VIOLATION	V
000214	189.04	IMPROPER FLASHING LIGHTS	VIOLATION	V
000270	189.33	IMPROPER LANE USAGE-VEHICLES KEEP TO RIGHT EXCEPT TO PASS	VIOLATION	V
000238	189.11	IMPROPER OR NO WINDSHIELD	VIOLATION	V
000581	189.45	IMPROPER PARKING FIRELANE/BLOCK TRAVELED PORTION OF HWY	VIOLATION	V
000580	189.45	IMPROPER PARKING VIOLATIONS	VIOLATION	V
000107	189.34	IMPROPER PASSING	VIOLATION	V
000405	186.02	IMPROPER REGISTRATION PLATE	VIOLATION	V
000114	189.44	IMPROPER START FROM PARKED POSITION	VIOLATION	V
000181	189.338(5A)	IMPROPER STOPPING AT FLASHING RED LIGHT	VIOLATION	V
000228	189.48	IMPROPER TOWING	VIOLATION	V
000109	189.33	IMPROPER TURNING	VIOLATION	V
000105	189.345	IMPROPERLY ON LEFT SIDE OF ROAD	VIOLATION	V
000205	189.14	INADEQUATE SILENCER (MUFFLER)	VIOLATION	V
000133	189.04	INSUFFICIENT HEAD LAMPS	VIOLATION	V
000439	186.17	LICENSE PLATE NOT LEGIBLE	VIOLATION	V
000435	186.510	LICENSE TO BE IN POSSESSION	MISDEMEANOR	B
005100	186.05	MOTORCYCLE REGISTRATION PLATE	VIOLATION	V
000240	189.055	NO BRAKE LIGHTS (PASSENGER VEHICLES)	VIOLATION	V
000225	189.08	NO HORN	VIOLATION	V
000235	189.06	NO LIGHT ON VEHICLES IN TOW	VIOLATION	V
000327	189.289	NO LIGHTS ON BICYCLE	VIOLATION	V
000625	189.285	NO MOTORCYCLE OPERATORS LICENSE	VIOLATION	V
000229	189.13	NO REAR VIEW MIRROR	VIOLATION	V
000622	189.285	NO REAR VIEW MIRROR ON MOTORCYCLE	VIOLATION	V
000424	186.17	NO REGISTRATION PLATES	VIOLATION	V
000407	186.17	NO REGISTRATION RECEIPT	VIOLATION	V
000220	189.05	NO TAIL LAMPS	VIOLATION	V
005125	186.655	NO TRAILER PLATE	VIOLATION	V
000233	189.11	NO WINDSHIELD WIPER	VIOLATION	V
000226	189.04	ONE HEADLIGHT	VIOLATION	V
000254	189.515(3)	OPERATING ATV (OVERSIZED)	VIOLATION	V
000251	189.515(2)	OPERATING ATV ON PROPERTY W/O CONSENT	VIOLATION	V
000250	189.515(1)	OPERATING ATV ON ROADWAY	VIOLATION	V
000255	189.515	OPERATING ATV W/O HEADGEAR 16 OR > - PUBLIC PROPERTY	VIOLATION	V
000253	189.515(3)	OPERATING ATV W/O SUPERVISION	VIOLATION	V

006082	235.24	OPERATING MOTORBOAT IN RECKLESS MANNER, 1ST	VIOLATION	V
006083	235.24	OPERATING MOTORBOAT IN RECKLESS MANNER, 2ND	VIOLATION	V
000403	186.620(2)	OPERATING ON SUS OR REV OPER LICENSE	MISDEMEANOR	B
42263	218A.1417	POSS CONT SUB, 3RD DEGREE – DRUG UNSPECIFIED*	MISDEMEANOR	A
042330	218A.1422	POSS OF MARIJUANA	MISDEMEANOR	B
000470	189.530(2)	POSS OF OPEN ALC BEVERAGE CONT IN MOTOR VEH PROHIBITED	VIOLATION	V
002303	525.100	PUBLIC INTOXICATION CONTROLLED SUBSTANCE (EXCLUDES ALC.)	MISDEMEANOR	B
000207	186.17	REAR LICENSE NOT ILLUMINATED	VIOLATION	V
000498	189.125(2)	SEAT BELT ANCHOR	VIOLATION	V
000257	189.82	SLOW MOVING VEHICLE EMBLEM/TAPE REQUIRED	VIOLATION	V
000001	189.390	SPEEDING 01 MPH OVER LIMIT	VIOLATION	V
000002	189.390	SPEEDING 02 MPH OVER LIMIT	VIOLATION	V
000003	189.390	SPEEDING 03 MPH OVER LIMIT	VIOLATION	V
000004	189.390	SPEEDING 04 MPH OVER LIMIT	VIOLATION	V
000005	189.390	SPEEDING 05 MPH OVER LIMIT	VIOLATION	V
000006	189.390	SPEEDING 06 MPH OVER LIMIT	VIOLATION	V
000007	189.390	SPEEDING 07 MPH OVER LIMIT	VIOLATION	V
000008	189.390	SPEEDING 08 MPH OVER LIMIT	VIOLATION	V
000009	189.390	SPEEDING 09 MPH OVER LIMIT	VIOLATION	V
000010	189.390	SPEEDING 10 MPH OVER LIMIT	VIOLATION	V
000011	189.390	SPEEDING 11 MPH OVER LIMIT	VIOLATION	V
000012	189.390	SPEEDING 12 MPH OVER LIMIT	VIOLATION	V
000013	189.390	SPEEDING 13 MPH OVER LIMIT	VIOLATION	V
000014	189.390	SPEEDING 14 MPH OVER LIMIT	VIOLATION	V
000015	189.390	SPEEDING 15 MPH OVER LIMIT	VIOLATION	V
000016	189.390	SPEEDING 16 MPH OVER LIMIT	VIOLATION	V
000017	189.390	SPEEDING 17 MPH OVER LIMIT	VIOLATION	V
000018	189.390	SPEEDING 18 MPH OVER LIMIT	VIOLATION	V
000019	189.390	SPEEDING 19 MPH OVER LIMIT	VIOLATION	V
000020	189.390	SPEEDING 20 MPH OVER LIMIT	VIOLATION	V
000021	189.390	SPEEDING 21 MPH OVER LIMIT	VIOLATION	V
000022	189.390	SPEEDING 22 MPH OVER LIMIT	VIOLATION	V
000023	189.390	SPEEDING 23 MPH OVER LIMIT	VIOLATION	V
000024	189.390	SPEEDING 24 MPH OVER LIMIT	VIOLATION	V
000025	189.390	SPEEDING 25 MPH OVER LIMIT	VIOLATION	V
000026	189.390	SPEEDING 26 MPH OR > SPEED LIMIT	VIOLATION	V
000102	189.390	SPEEDING FREIGHT CARRYING VEHICLE	VIOLATION	V
000150	189.390	SPEEDING IN A RESTRICTED ZONE	VIOLATION	V
000146	189.390	SPEEDING IN A SCHOOL ZONE	VIOLATION	V
000393	189.394(5)	SPEEDING IN HIGHWAY WORK ZONE	VIOLATION	V
000123	189.350	SPEEDING UP WHEN BEING PASSED	VIOLATION	V
023935	514.030	TBUT OR DISP SHOPLIFTING U/\$500	MISDEMEANOR	A
000590	189.459(2)	UNAUTHORIZED PARKING IN A HANDICAPPED ZONE	VIOLATION	V

* See Order narrative; charge must be a 1st offense and no prior drug-related convictions.

Appendix E. Jefferson County Charges

<u>Code</u>	<u>KRS</u>	<u>Description</u>	<u>Type</u>	<u>Class</u>
002108	189A.010	DUI 1ST – (TRUE FIRST*, NO ACCIDENT, KY RESIDENT, NO PENDING DUI)	MISDEMEANOR	B
000694	186.15	ALCOHOL INTOXICATION	MISDEMEANOR	B
042348	218A.1423	CRIMINAL LITTERING	MISDEMEANOR	A
000417	186.610(1)	CRIMINAL MISCHIEF 2ND	MISDEMEANOR	B
000422	186.610(4)	CRIMINAL MISCHIEF 3RD	MISDEMEANOR	B
000398	186.410(2)	CRIMINAL TRESPASS 1ST	MISDEMEANOR	B
000403	186.620(2)	CRIMINAL TRESPASS 2ND	MISDEMEANOR	B
000404	186.620(1)	CRIMINAL TRESPASS 3RD	MISDEMEANOR	B
000530	186.64	CULTIVATE MARIJUANA 5 PLANTS OR LESS	MISDEMEANOR	B
042301	218A.1421	DISORDERLY CONDUCT 1ST (WHERE NO MENTION OF DOMESTIC)	MISDEMEANOR	A
042330	218A.1422	DISORDERLY CONDUCT 2ND (WHERE NO MENTION OF DOMESTIC)	MISDEMEANOR	B
002109	189A.010	DISPLAY/POSSESSION OF CANCELLED/FICTITIOUS O/L	MISDEMEANOR	B
050230	524.1	DISREGARDING SIGNALS FROM OFFICERS DIRECTING TRAFFIC	FELONY	D
000701	514.1	DRINKING ALCOHOL IN PUBLIC PLACE	MISDEMEANOR	A
002705	189.393	DRIVING W/O LICENSE/NEGLIGENT IN ACCIDENT	MISDEMEANOR	B
000127	189.93	DUI 1ST W/AGG. (TRUE FIRST*, NO ACCIDENT, KY RESIDENT, NO PENDING DUI)	MISDEMEANOR	B
000147	189A.010(1)(3)	DUI UNDER 21- (TRUE FIRST*, NO ACCIDENT, KY RESIDENT, NO PENDING DUI)	MISDEMEANOR	B
002617	511.08	FAILURE OF NON-OWNER TO MAINTAIN REQUIRED INSURANCE 1ST	VIOLATION	V
002621	512.07	FAILURE OF NON-OWNER TO MAINTAIN REQUIRED INSURANCE 2ND	MISDEMEANOR	A
002371	525.06	FAILURE OF OWNER TO MAINTAIN REQUIRED INSURANCE 1ST	MISDEMEANOR	B
002616	511.06	FAILURE OF OWNER TO MAINTAIN REQUIRED INSURANCE 2ND	MISDEMEANOR	A
001402	512.03	FAILURE TO GIVE RIGHT OF WAY TO EMERGENCY STOPPED VEHICLE	MISDEMEANOR	A
001321	189.37	FAILURE TO GIVE RIGHT OF WAY TO EMERGENCY VEHICLE	MISDEMEANOR	B
002370	525.055	FAILURE TO NOTIFY ADDRESS CHANGE TO DOT	MISDEMEANOR	A
002304	222.202	FAILURE TO REGISTER TRANSFER OF MOTOR VEHICLE	VIOLATION	V
000481	304-39.080	FAILURE TO REPORT CHANGE IN ORDER TO RECEIVE BENEFITS U/\$100.00	MISDEMEANOR	A
002303	525.1	FAILURE TO SURRENDER REVOKED O/L	MISDEMEANOR	B
000435	186.51	FALSE STATEMENT/MISREPRESENT TO RECEIVE BENEFITS OVER \$100.00	MISDEMEANOR	B
021438	194A.505	FRAUDULENT INSURANCE ACTS \$500.00 OR LESS	FELONY	D
000380	186.410(1)	FRAUDULENT USE OF CREDIT CARD U/\$500 WITHIN 6 MONTH PERIOD	MISDEMEANOR	B
000460	186.54	GIVING OFFICER FALSE NAME OR ADDRESS	MISDEMEANOR	B
021439	194A/B.505	HITCHHIKING ON LIMITED ACCESS FACILITIES	MISDEMEANOR	A
002730	525.09	KY RESIDENT USING OUT-OF-STATE LICENSE	VIOLATION	V
002305	222.202	LICENSE TO BE IN POSSESSION	MISDEMEANOR	B
071149	434.65	LOITERING	MISDEMEANOR	A
042201	218A.1404	LOITERING FOR PROSTITUTION PURPOSES 1ST	FELONY	D
042081	218A.500(2)	LOITERING FOR PROSTITUTION PURPOSES 2ND	MISDEMEANOR	A
001605	529.07	NO OPERATOR'S/MOPED LICENSE	MISDEMEANOR	B
001600	529.02	OPERATING NON-MOTOR VEHICLE ON PUBLIC HIGHWAY	MISDEMEANOR	B

001606	529.08	OPERATING ON SUSPENDED OR REVOKED OPERATOR LICENSE (NOT DUI)	VIOLATION	V
001930	528.07	OPERATING VEHICLE W/EXPIRED O/L	MISDEMEANOR	B
002624	511.07	OWNER PERMIT OTHER TO OPERATE W/O REQUIRED INSURANCE 1ST	MISDEMEANOR	B
002695	523.110(1)	OWNER PERMIT OTHER TO OPERATE W/O REQUIRED INSURANCE 2ND	MISDEMEANOR	B
001403	512.04	PASSING LOADING/UNLOADING SCHOOL BUS	MISDEMEANOR	B
042246	218A.1416	PERMITTING GAMBLING	MISDEMEANOR	A
042055	218A.210	PERMITTING PROSTITUTION	MISDEMEANOR	B
001931	528.08	PERMITTING UNLICENSED OPERATOR TO OPERATE MOTOR VEHICLE	MISDEMEANOR	A
000483	304-99.060	POSSESSION OF A CONTROLLED SUBSTANCE	MISDEMEANOR	A
000482	304-99.060	POSSESSION OF A CONTROLLED SUBSTANCE 2ND	MISDEMEANOR	B
042263	218A.1404	POSSESSION OF A GAMBLING DEVICE	MISDEMEANOR	A
000485	304-39.080	POSSESSION OF CONTROLLED SUBSTANCE 3RD	MISDEMEANOR	A
000574	304- 070.0202(a)	POSSESSION OF DRUG PARAPHERNALIA	MISDEMEANOR	A
000605	177.23	POSSESSION OF MARIJUANA	MISDEMEANOR	B
000484	304-39.080	PRESCRIPTION CONTROLLED SUBSTANCE NOT IN PROPER CONTAINER	MISDEMEANOR	B
028031	514.11	PROSTITUTION	MISDEMEANOR	A
000480	304-39.080	PUBLIC INTOXICATION	MISDEMEANOR	B
001604	529.07	RACING MOTOR VEHICLE ON PUBLIC HIGHWAY	MISDEMEANOR	B
000432	186.19	RECEIVING STOLEN PROPERTY U/\$500	MISDEMEANOR	A
000280	189.505	TAMPERING W/PHYSICAL EVIDENCE -- (DRUGS)	MISDEMEANOR	B
000158	189.52	TBUTU/\$500 -- SHOPLIFTING	VIOLATION	V
000490	189.930(5)	TRAFFICKING IN MARIJUANA 1ST OFFENSE LESS THAN 8OZ	MISDEMEANOR	B
023030	514.03	UNAUTHORIZED USE OF MOTOR VEHICLE	MISDEMEANOR	A

** "true first" means the defendant has **never** been convicted of DUI.